

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

CYNTHIA BELL,

Plaintiff,

v.

Case Number 12-cv-13674
Honorable Thomas L. Ludington

PINNACLE FOODS,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S COMPLAINT**

This matter is before the Court on the report (ECF No. 6) issued by Magistrate Judge Charles E. Binder on October 9, 2012, recommending dismissing Plaintiff's complaint pursuant to 28 U.S.C. § 1915 for not stating a claim on which relief can be granted. Reporting that this Court lacks subject matter jurisdiction because the complaint presents only a state law cause of action and the parties are not diverse, Judge Binder recommends that the Court dismiss the complaint.

Any party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* The Court is not obligated to review the portions of the report to which no objection was made. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). As of today's date, no party has filed any objections to Judge Binder's report and recommendation.

Accordingly, it is **ORDERED** that Judge Binder's report and recommendation (ECF No. 4) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's complaint (ECF No. `) is **DISMISSED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: November 8, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon Cynthia A. Bell, at 1955 Mack Road, Saginaw, Michigan 48601 by first class U.S. mail on November 8, 2012.

s/Tracy A. Jacobs
TRACY A. JACOBS